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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,682	03/30/2004	Randall L. Redman	006593-1970	4022
33375	7590	11/02/2005	EXAMINER	
THOMPSON HINE LLP 2000 COURTHOUSE PLAZA N.E. 10 WEST SECOND STREET DAYTON, OH 45402-1758			GHATT, DAVE A	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

8/

Office Action Summary	Application No. 10/812,682	Applicant(s) REDMAN ET AL.	
	Examiner Dave A. Ghatt	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-22 is/are allowed.
- 6) ☒ Claim(s) 1-3,8,10,11,14,23 and 28 is/are rejected.
- 7) ☒ Claim(s) 4-7,9,12,13,15 and 24-27 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 3, 8, 10, 11, 14, 23, and 28, are rejected under 35 U.S.C. 102(b) as being anticipated by Martinez et al. (US 5,997,192). As illustrated in Figure 1, Martinez et al. teaches a printer 10 for printing between a print roller 30 and a print head 16. Figure 2 shows a print head alignment system including a print roller assembly 6 having a print roller 30, mounted thereon and at least one stop 6B. Figure 2 also shows a print head support assembly 14 having a print head 16 mounted thereon. Figure 2 also shows at least one detent (the tip of element 7), a surface of said detent engaging a surface of said stop 6B to maintain alignment of said print head 16 with the print head roller 30. Figure 1 shows an actuating assembly (shaft 1) associated with the print head support assembly 14 and the print roller assembly 6 for movement thereof so as to back the stop 6B away from the detent (the tip of 7) before moving the print head support assembly 14 so as to provide an access space between the print head and the print roller for allowing print media to be removed and inserted.

With respect to claim 2, Martinez et al. teaches the actuating assembly 1 connected to move the print head support assembly 14 and operates to back the detent (the tip of 7) off of the

Art Unit: 2854

stop 6B before moving at least one side of the print head 16 away from the print roller 30 to provide the access space.

With respect to claim 3, as shown in Figure 1, Martinez et al. teaches the print head support assembly including a pivot frame (arm 14) pivotally attached toward one end to pivot about a pivot axis 17.

With respect to claim 8, Martinez et al. teaches a stop 12 located below a first side of said print head support assembly to limit downward movement of an inner side of the print head 16 away from the print roller 6 while an outer side of the print head moves to create the access space.

With respect to claim 10, as shown in Figure 2, as shown in Figure 2, Martinez et al. teaches the surface of the detent (tip of element 7) and the surface of the stop surface 6B are engaged in a manner that permits the print head 16 to float relative to the print roller 30 during operation when the surface of the detent moves along the surface of the stop.

With respect to claim 11, the print head support includes a biasing member 18 for urging the print head toward the print roller.

With respect to the method of claim 23, Martinez teaches a method in a printer, for disengaging a print head support assembly and a print roller assembly, wherein said print roller assembly includes at least one substantially vertical stop surface 6B engaged with at least one substantially vertical detent surface (the hook portion of element 7) of the print head support assembly (shown generally at 14) maintaining alignment of a print head 16 and a print roller 30. As shown in Figures 1-3, and as outlined in columns 3-4, the method comprises the step of (a) moving the print roller assembly in a first rotational direction to space said detent surface from said stop

Art Unit: 2854

surface 6B. Figures 1-3 also show the steps of, after step (a), moving at least one side of the print head support assembly in a second direction (vertically downwards) away from the print roller assembly to provide an access space between the print head and the print roller for allowing print media to be removed and inserted.

With respect to claim 28, because Martinez et al. teaches the first direction being rotational and the second direction being vertically downwards, the first direction is substantially perpendicular to the second direction.

Allowable Subject Matter

3. Claims 16-22 are allowed.

4. Claims 4-7, 9, 12, 13, 15, and 24-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 12 is indicated as having allowable subject matter because the prior art of record does not teach or render obvious the total combination claimed, including spaced apart lateral guide members that interact with the lateral guide portions of the print roller assembly to orient the print head along an axis of the roller.

Response to Arguments

5. The applicant's remarks submitted August 22, 2005 have been fully considered. In view of the applicant's remarks with respect to the prior art reference to Yamada, the 35 U.S.C. 102(e)

Art Unit: 2854

rejections based on Yamada have been withdrawn. Claim 12, which was previously rejected under Yamada, has now been indicated as having allowable subject matter.

With respect to the applicant's remarks concerning the prior art reference to Martinez, the examiner respectfully disagrees. The applicant claims that the alignment of the print head 16 and the print roller 30 is not impacted by the detent spring 7 and notch 6B. However, as pointed out in column 4 lines 47-52, the cam 6 (which holds the print head) is normally held in position by leaf spring 7, which engages detent notch 6b. Consequently, the Martinez arrangement does provide at least some alignment between the printhead and the platen. This is also shown in Figure 2. Because the examiner disagrees with the applicant on this point, the 35 U.S.C. 102(b) rejections have been maintained.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2854

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave A. Ghatt whose telephone number is (571) 272-2165. The examiner can normally be reached on Mondays through Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAG



**ANDREW H. HIRSHFELD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800**